

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the shipment of February 4, 1948, represented and suggested that the product would be efficacious in the cure, mitigation, and treatment of arthritis, rheumatism, high blood pressure, and acidity; disorders of the stomach, intestines, kidneys, liver, and gall bladder; gallstones, stomach ulcers, athlete's foot, burns, cuts, sprains, inflammation, poison oak, and skin disorders; and that it would be efficacious to promote health; and in addition, certain statements in the labeling of the shipment of March 29, 1948, represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of dyspepsia, dropsy, urinary and bladder troubles, gallstones, impaired functions of the kidneys and liver, renal calculi, chronic constipation, fermentative indigestion, jaundice, spastic colon, arthritis, stomach ulcers, excess acidity, high blood pressure, and stone and gravel in the bladder; that it would be efficacious to stimulate the liver; that it would be efficacious as an anthelmintic and as a gastric and intestinal tonic; that it would be efficacious to restore the bowels to normal and supply much useful material for the nutrition of important tissues; and that it would be efficacious to promote health. These representations in the labeling were false and misleading since the product would not be efficacious for the purposes claimed.

DISPOSITION: November 13, 1950. The case having been transferred from the Western District of Tennessee to the Southern District of California, pleas of nolo contendere were entered and the court imposed a fine of \$20 against each defendant.

3278. Misbranding of Hett's Serum. U. S. v. 1 Vial, etc. (F. D. C. No. 29720. Sample No. 32376-K.)

LABEL FILED: September 12, 1950, Northern District of California.

ALLEGED SHIPMENT: During the month of July, 1950, by Dr. M. O. Moore, from Windsor, Canada.

PRODUCT: 1 vial containing 10 cc. of *Hett's Serum* at Los Gatos, Calif., together with a number of booklets entitled "The Hett Cancer Treatment and Research Foundation."

Examination of the product indicated that it was a dilute solution of nitrogenous material from animal tissue.

RESULTS OF INVESTIGATION: A copy of the booklet was originally obtained by Dr. M. O. Moore from an individual in Los Angeles, Calif. Dr. Moore had the booklet reprinted and kept the booklet on hand to give to his patients.

LABEL, IN PART: "Hett's Serum."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying booklet were false and misleading since they represented and suggested that the article was effective in the treatment of cancer, whereas the article was not effective for such purpose; and, Section 502 (b) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: September 26, 1950. Default decree of condemnation and destruction.